

IFW 3763

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Thomas H. Majcher  
Thomas H. Majcher, Reg. No. 31,119

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Appl. No. : 09/928,464 Confirmation No.: 6454  
Applicant : William J. Boyle  
Filed : August 13, 2001  
Art Unit : 3763  
Examiner : Melissa A. McCorkle  
Title : CONVERTIBLE DELIVERY SYSTEM FOR MEDICAL DEVICES

Docket No.: : ACSES-57080 (2838P) October 9, 2006  
Customer No. : 24201 Los Angeles, California

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to the duty of disclosure and 37 CFR § 1.97(c)(2), enclosed is Form PTO 1449, listing references which may be material to the patentability of the invention. The Examiner is respectfully requested to consider and cite the references. It is additionally requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO 1449 with initials and/or other appropriate marks.

10/12/2006 SSESHE1 00000044 09928464  
01 FC:1806 180.00 OP

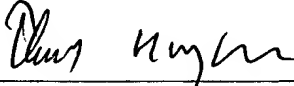
23

This statement is not a representation that all of the information cited is necessarily effective as prior art against the present application or that a prior art search was performed.

This Information Disclosure Statement is being submitted pursuant to 37 CFR 1.97(c)(2) and the requisite fee of \$180.00 is enclosed. If any additional fees are due, the Commissioner is authorized to charge any these fee(s) to our Deposit Account No. 06-2425. A duplicate of this paper is enclosed.

Respectfully submitted,

FULWIDER PATTON LLP

By:   
\_\_\_\_\_  
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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	09/928,464	
	Filing Date	August 13, 2001	
	First Named Inventor	William J. Boyle	
	Art Unit	3763	
	Examiner Name	Melissa A. McCorkle	
Total Number of Pages in This Submission		Attorney Docket Number	ACS-57080

## ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <b>\$180.00 Postcard</b>
Remarks <b>CUSTOMER NO. 24201</b>		

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

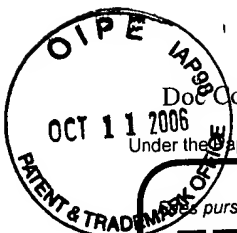
Firm Name	FULWIDER PATTON LLP		
Signature			
Printed name	THOMAS H. MAJCHER		
Date	OCTOBER 1, 2006	Reg. No.	31,119

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the			
Signature			
Typed or printed name	THOMAS H. MAJCHER	Date	OCTOBER 1, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

PTO/SB/17 (01-06)

# FEE TRANSMITTAL for FY 2006

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) \$180.00

## Complete if Known

Application Number	09/928,464
Filing Date	August 13, 2001
First Named Inventor	William J. Boyle
Examiner Name	Melissa A. McCorkle
Art Unit	3763
Attorney Docket No.	ACES-57080 (2838P)

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☒ Deposit Deposit Account Number: 06-2425 Deposit Account Name: FULWIDER PATTON LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

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## FEE CALCULATION (All the fees below are due upon filing or may be subject to a surcharge.)

### 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid(\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

### 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$) Fee Paid (\$) - 20 or HP = 0 x \$50.00 = \$0.00

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$) Fee Paid (\$) - 3 or HP = 0 x \$200.00 = \$0.00

HP = highest number of independent claims paid for, if greater than 3.

### 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listing under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$) Fee Paid (\$) - 100 = 0 / 50 0 (round up to a whole) x \$250.00 = \$0.00

### 4. OTHER FEE(S)

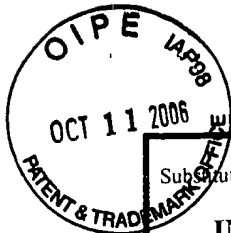
Non-English specification, \$130 fee (no small entity discount)  
Other (e.g., late filing surcharge): Supp IDS \$180.00

## SUBMITTED BY

Signature		Registration No. (Attorney/Agent)	31,119	Telephone	310 824 5555
Name (Print/Type)	THOMAS H. MAJCHER			Date	10/06/06

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Application Number	09/928,464
Filing Date	August 13, 2001
First Named Inventor	William J. Boyle et al.
Art Unit	3763
Examiner Name	Melissa A. McCorkle

Sheet		of		Attorney Docket Number	ACSES-57080 (2838P)
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**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1.	RE38,972		02-07-2006	Purdy	
	2.	3,952,747		04-27-1976	Kimmell, Jr.	
	3.	4,452,908		01-17-1984	Simon	
	4.	4,494,531		01-22-1985	Gianturco	
	5.	4,612,931		09-23-1986	Dormia	
	6.	4,619,246		10-28-1986	Molgaard-Nielsen et al.	
	7.	4,643,184		02-17-1987	Mobin-Uddin	
	8.	4,650,466		03-17-1987	Luther	
	9.	4,662,885		05-05-1987	DiPisa, Jr.	
	10.	4,688,553		08-25-1987	Metals	
	11.	4,706,671		11-17-1987	Weinrib	
	12.	4,723,549		02-09-1988	Wholey et al.	
	13.	4,727,873		03-01-1998	Mobin-Uddin	
	14.	4,781,177		11-01-1988	Lebigot	
	15.	4,790,812		12-13-1988	Hawkins, Jr. et al.	
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	17.	4,794,928		01-03-1989	Kletschka	
	18.	4,832,055		05-23-1989	Palestrant	
	19.	4,873,978		10-17-1989	Ginsburg	
	20.	4,921,478		05-01-1990	Solano et al.	
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	24.	4,997,435		03-05-1991	Demeter	
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	26.	5,053,008		10-01-1991	Bajaj	
	27.	5,064,428		11-12-1991	Cope et al.	
	28.	5,071,407		12-10-1991	Termin et al.	
	29.	5,092,839		03-03-1992	Kipperman	
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	33.	5,108,419		04-28-1992	Reger et al.	
	34.	5,152,777		10-06-1992	Goldberg et al.	
	35.	5,158,548		10-27-1992	Lau	
	36.	5,160,342		11-03-1992	Reger et al.	
	37.	5,192,286		03-09-1993	Phan et al.	
	38.	5,324,304		06-28-1994	Rasmussen	
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	42.	5,370,657		12-06-1994	Irie	
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	44.	5,383,887		01-24-1995	Nadal	

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

## Complete if Known

Application Number	09/928,464
Filing Date	August 13, 2001
First Named Inventor	William J. Boyle et al.
Art Unit	3763
Examiner Name	Melissa A. McCorkle
Attorney Docket Number	ACSES-57080 (2838P)

Sheet \_\_\_\_\_ of \_\_\_\_\_

## U.S. PATENT DOCUMENTS

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		Number	Kind Code <sup>2</sup> (if known)			
	45.	5,421,832		06-06-1995	Lefebvre	
	46.	5,490,859		02-13-1996	Mische et al.	
	47.	5,496,277		03-05-1996	Termin et al.	
	48.	5,496,330		03-05-1996	Bates et al.	
	49.	5,501,694		03-26-1996	Ressemann et al.	
	50.	5,549,626		08-27-1996	Miller et al.	
	51.	5,601,595		02-11-1997	Smith	
	52.	5,626,605		05-06-1997	Irie et al.	
	53.	5,634,942		06 03 1997	Chevillon et al.	
	54.	5,649,953		07-22-1997	Lefebvre	
	55.	5,658,296		08-19-1997	Bates et al.	
	56.	5,662,671		09-02-1997	Barbut et al.	
	57.	5,669,933		09-23-1997	Simon et al.	
	58.	5,681,347		10-28-1997	Cathcart et al.	
	59.	5,695,518		12-09-1997	Laerum	
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	61.	5,720,764		02-24-1998	Naderlinger	
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	66.	5,772,674		06-30-1998	Nakhjavan	
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	79.	5,833,650		11-10-1998	Imran	
	80.	5,836,868		11-17-1998	Ressemann et al.	
	81.	5,846,251		12-08-1998	Hart	
	82.	5,846,260		12-08-1998	Maas	
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	90.	5,935,139		08-10-1999	Bates	

Substitute for form 1449A/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)				<b>Complete if Known</b>		
				Application Number	09/928,464	
				Filing Date	August 13, 2001	
				First Named Inventor	William J. Boyle et al.	
				Art Unit	3763	
				Examiner Name	Melissa A. McCorkle	
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		Number	Kind Code <sup>2</sup> (if known)			
	91.	5,941,869		08-24-1999	Patterson et al.	
	92.	5,941,896		08-24-1999	Kerr	
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	98.	5,989,281		11-23-1999	Barbut et al.	
	99.	6,001,118		12-14-1999	Daniel et al.	
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	101.	6,013,093		01-11-2000	Nott et al.	
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	120.	6,152,946		11-28-2000	Broome et al.	
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	122.	6,165,198		12-26-2000	McGurk et al.	
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	135.	6,187,025		02-13-2001	Machek	
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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

**Complete if Known**

Sheet		of		Application Number	09/928,464
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Filing Date	August 13, 2001
First Named Inventor	William J. Boyle et al.
Art Unit	3763
Examiner Name	Melissa A. McCorkle
Attorney Docket Number	ACSES-57080 (2838P)

**U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	137.	6,206,868		03-27-2001	Parodi	
	138.	6,209,710		09-18-2001	Cryer et al.	
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	142.	6,235,045		05-22-2001	Barbut et al.	
	143.	6,238,412		05-29-2001	Dubrul et al.	
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	147.	6,245,088		06-12-2001	Lowery	
	148.	6,245,089		06-12-2001	Daniel et al.	
	149.	6,251,122		06-26-2001	Tsukernik	
	150.	6,254,633		07-03-2001	Pinchuk et al.	
	151.	6,258,115		07-10-2001	Dubrul	
	152.	6,258,120		07-10-2001	McKenzie et al	
	153.	6,264,663		07-24-2001	Cano	
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	155.	6,267,776		07-31-2001	O'Connell	
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	157.	6,270,477		08-07-2001	Bagaosian	
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	162.	6,280,451		08-28-2001	Bates et al.	
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				Application Number	09/928,464	
				Filing Date	August 13, 2001	
				First Named Inventor	William J. Boyle et al.	
				Art Unit	3763	
				Examiner Name	Melissa A. McCorkle	
Sheet		of		Attorney Docket Number	ACSES-57080 (2838P)	
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Examiner Initials*	Cite No. <sup>1</sup>	Document Number		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
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				Application Number		09/928,464		
				Filing Date		August 13, 2001		
				First Named Inventor		William J. Boyle et al.		
				Group Art Unit		3763		
				Examiner Name		Melissa A. McCorkle		
Sheet		of		Attorney Docket Number		ACSES-57080 (2838P)		
<b>FOREIGN PATENT DOCUMENTS</b>								
Examiner Initials*	Cite No <sup>1</sup>	Foreign Patent Document			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
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Examiner Signature						Date Considered		

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		Application Number	09/928,464		
		Filing Date	August 13, 2001		
		First Named Inventor	William J. Boyle et al.		
		Group Art Unit	3763		
		Examiner Name	Melissa A. McCorkle		
Sheet		of		Attorney Docket Number	ACSES-57080 (2838P)
<b>OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS</b>					
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s), publisher, city and/or country where published.			T <sup>2</sup>
		Dililation of the Carotid Artery By A Temporary Carotid Filter By A. Beck, St. Milic, A.M. Spagnoli, November-December Issue of OPLITAI, An International Journal on Military Medicine and Health Emergencies, pages 67-74			
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